

REMARKS/ARGUMENTS

Claims 1-20 are present in this application. By this Amendment, claims 1 and 11 have been amended. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

At the outset, Applicant extends his appreciation to Examiner Atkinson for his courtesy in conducting the telephone interview with Applicant's representative on December 16, 2003. During the interview, Applicant's representative discussed the above amendments to the claims and distinctions between the invention and the newly-cited U.S. Patent No. 5,467,816 to Larinoff. Examiner Atkinson agreed that the claims distinguish the invention from the Larinoff patent.

With reference to the Office Action, claims 1-3 and 11-13 were rejected under 35 U.S.C. §102(b) over Larinoff. This rejection is respectfully traversed.

Larinoff discloses an air-cooled condenser with fins that are metallurgically bonded to steel tubes. See, for example, the Abstract of the Disclosure, describing "a low cost, extended surface, thin tube of rectangular cross section . . . for use . . . in power plant air-cooled steam condensers. The steel U-shaped fins are metallurgically bonded to the steel tubes by hot-dipped galvanizing; aluminum fins would be brazed on." See also, column 3, lines 8-10 and column 5, lines 26-30.

As discussed during the telephone interview, in contrast with the Larinoff construction, an important objective of the present invention is to provide an easily assembled heat exchanger using a heat exchange plate that can be snapped coupled and

decoupled to facilitate assembly. In an effort to clarify this structure, claims 1 and 11 have been amended to define the at least one support engagement portion for permitting snap coupling and decoupling between the plate member and the elongate support apparatus. Support for this amendment can be found throughout the specification and more specifically at, for example, page 7, line 34 – page 8, line 10. During the telephone interview, Examiner Atkinson agreed that this structure is distinguishable from the Larinoff patent.

With regard to dependent claims 2, 3, 12 and 13, Applicant submits that these claims are allowable at least by virtue of their dependency on an allowable independent claim.

Reconsideration and withdrawal of the rejection are thus respectfully requested.

Claims 10 and 20 were rejected under 35 U.S.C. §103 over Larinoff in view of U.S. Patent No. 4,840,040 to Jan-Ove et al. The Jan-Ove patent, however, does not correct the deficiencies noted above with regard to Larinoff; that is, neither Larinoff nor Jan-Ove provides any suggestion to modify the Larinoff patent to meet the features of the invention set forth in independent claims 1 and 11. As a consequence, Applicant submits that claims 10 and 20 are allowable at least by virtue of their dependency on an allowable independent claim. Reconsideration and withdrawal of the rejection are respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully submits that the claims are patentable over the art of record and that the application is in condition

SEIDEL
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for allowance. Should the Examiner believe that anything further is desirable in order to place the application in condition for allowance, the Examiner is invited to contact Applicant's undersigned attorney at the telephone number listed below.

Prompt passage to issuance is earnestly solicited.

Respectfully submitted,

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